

# EXHIBIT 1

PROCLAMATION  
BY THE  
Governor of the State of Texas

41-3061

TO ALL TO WHOM THESE PRESENTS SHALL COME:

WHEREAS, the United States District Court for the Eastern District of Texas ("Court"), in Civil Action No. 2:03-CV-354 Consolidated, styled *League of United Latin American Citizens, et. al. vs. Rick Perry, Governor of Texas, et. al.*, has ordered the Secretary of State to order special runoff elections for any of the Congressional District Nos. 15, 21, 23, 25, and 28 in which no candidate received a majority of the votes cast; and

WHEREAS, state law requires the Governor to order a runoff election in a special election for United States Congress, pursuant to Tex. Const. Ann. Art III, Sec. 13, and Tex. Elec. Code Ann. § 204.021; and

WHEREAS, the results of the special election have been officially declared; and

WHEREAS, no candidate in Congressional District No. 23 received a majority of the votes cast as required by the Court and Sec. 203.003 of the Texas Election Code;

NOW, THEREFORE, WE, RICK PERRY, GOVERNOR, AND ROGER WILLIAMS, SECRETARY OF STATE, do hereby jointly order a special runoff election to be held in Congressional District No. 23 on Tuesday, the 12th day of December, 2006, for the purpose of electing a U.S. Representative to serve for the full term of the 110th Congress.

Early voting by personal appearance shall begin on December 4, 2006, in accordance with Tex. Elec. Code Ann. § 85.001(a) and (d).

A copy of this order will be mailed immediately to the County Judges in Bexar, Brewster, Crockett, Culberson, Dimmitt, Edwards, El Paso, Hudspeth, Jeff Davis, Kinney, Maverick, Medina, Pecos, Presidio, Reeves, Sutton, Terrell, Uvalde, Val Verde and Zavala and all appropriate writs will be issued and all proper proceedings will be followed, to the end that said election may be held and its result proclaimed in accordance with law.

IN TESTIMONY WHEREOF,  
We have hereunto signed our  
names and have officially caused  
the Seal of State to be affixed at  
the Office of the Governor, in the  
City of Austin, Texas, this the  
21st day of November 2006.



Rick Perry  
RICK PERRY

Roger Williams

ROGER WILLIAMS

Filed in the Office of  
Secretary of State

NOV 22 2006

Statutory Documents

# EXHIBIT 2

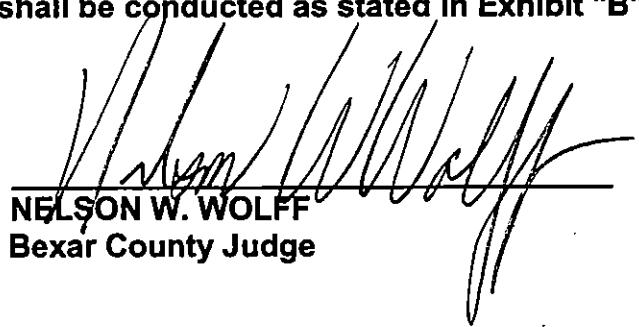
**ORDER TO CONDUCT  
CONGRESSIONAL DISTRICT 23 SPECIAL RUNOFF ELECTION  
TO BE HELD ON DECEMBER 12, 2006**

**WHEREAS, Election Code Sections 4.003(b) requires the Governor to order the DECEMBER 12, 2006 CONGRESSIONAL DISTRICT 23 SPECIAL RUNOFF ELECTION for the purpose of voting for federal candidate;**

**NOW THEREFORE, IT IS ORDERED** by the Commissioners Court of Bexar County, Texas, that the election be conducted in Bexar County on DECEMBER 12, 2006 from 7:00 a.m. to 7:00 p.m. at the precinct locations designated in Commissioners Court Order on November 28, 2006, attached hereto as Exhibit "A".

**IT IS FURTHER ORDERED** that early voting in Bexar County for said election shall be conducted at the locations listed on Exhibit "B" designated in Commissioners Court order of November 28, 2006 establishing early voting locations and that such early voting shall be conducted as stated in Exhibit "B".

11-28-06  
DATE

  
**NELSON W. WOLFF**  
**Bexar County Judge**

## Exhibit "A"

Host	Location	Address
1009	Riverside Park Academy	202 School St.
1011	Gilbert Building	931 E. Southcross
1015	Columbia Heights Literacy Center	1502 Fitch (Resource Rr
1016	Adams Elementary	135 E. Southcross
1017	Gilbert Building	931 E. Southcross
1018	Adams Elementary	135 E. Southcross
1019	Connell Middle School	400 Hot Wells
1020	Wright Elementary	115 E. Huff
1021	Rayburn Elementary	635 Rayburn
1022	Collier Elementary	834 W. Southcross
1023	Columbia Heights Literacy Center	1502 Fitch (Resource Rr
1025	Price Elementary	245 Price Ave.
1026	Dwight Middle School	2454 W. Southcross
1028	St. Leo Catholic Church (Parish Hall)	4423 S. Flores Parish Ha
1034	Geronimo Vil. Vol. Fire Dept.#1	2096 Talley Rd.
1039	Hidden Cove Elementary	5003 Gray Buffalo
1040	Price Elementary	245 Price Ave.
1041	St Clare Church/CCD Bldg	7701 Somerset
1042	Palo Alto Elementary	1725 Palo Alto
1044	Kazen Middle School	1520 Gillette
1045	South San Antonio High School	2515 Navajo
1046	Kazen Middle School	1520 Gillette
1047	Vestal Elementary	1111 W. Vestal
1048	Gillette Elementary	625 Gillette Blvd.
1049	McCollum High School	500 W. Formosa
1050	Harlandale Comm Center Gym	7227 Briar Pl
1051	Bellaire Elementary	142 E. Amber
1052	Goodwill Industries	3838 Pleasanton Road
1053	Harlandale Comm Center Gym	7227 Briar Pl
1054	Kingsborough Middle School	422 Ashley Rd
1056	Gallardo Elementary	1300 Del Lago Pkwy
1057	Freedom Elementary	3845 S Loop 1604 E
1058	Gallardo Elementary	1300 Del Lago Pkwy
1059	Kazen Middle School	1520 Gillette
1060	Bob Hope Elementary	3014 Reforma Dr.
1061	Indian Creek Elementary	5830 Old Pearsall Rd.
1062	Bob Hope Elementary	3014 Reforma Dr.

1063	Somerset High School	7650	S 1604 W
1064	Elm Creek Elementary	11535	Pearsall Rd
1065	Somerset High School	7650	S 1604 W
1066	Elm Creek Elementary	11535	Pearsall Rd
1067	Southwest High School	11914	Dragon Ln.
1068	Southwest High School	11914	Dragon Ln.
1069	St. Michaels Episcopal Church	10208	Culebra Rd.
1073	Geronimo Vil. Vol. Fire Dept.#1	2096	Talley Rd.
1074	Connell Middle School	400	Hot Wells
1075	So SA High School West Campus	5622	Ray Ellison Dr.
1081	Air Force Village	5100	John D. Ryan Blvd.
1089	Cyndi Taylor Krier Juvenile Correction Trtmnt Ctr	3621	Farm Rd.
1091	Cyndi Taylor Krier Juvenile Correction Trtmnt Ctr	3621	Farm Rd.
1094	So SA High School West Campus	5622	Ray Ellison Dr.
1097	St. Leo Catholic Church (Parish Hall)	4423	S. Flores Parish Ha
1101	Galm Elementary	1454	Saxon Hill
1102	Freedom Elementary	3845	S Loop 1604 E
1103	Price Elementary	245	Price Ave.
1105	Kazen Middle School	1520	Gillette
1107	Southside ISD Admin Bldg.	1460	Martinez-Losoya
1108	Galm Elementary	1454	Saxon Hill
1110	Galm Elementary	1454	Saxon Hill
2037	Maury Maverick Library	8700	Mystic Park
2063	San Antonio MUD #1	16450	Wildlake
2065	Ward Elementary	8400	Cavern Hill
2066	Braun Oaks Swim Club	10555	Tezel Rd.
2084	Maury Maverick Library	8700	Mystic Park
2099	Braun Oaks Swim Club	10555	Tezel Rd.
2101	O'Connor High School	12221	Leslie Rd.
2108	Coke Stevenson Middle	8403	Tezel
2123	O'Connor High School	12221	Leslie Rd
2124	Ward Elementary	8400	Cavern Hill
2139	Nichols Elementary	9560	Braun Rd.
3005	St Anthony the Great Coptic Orthodox	153	W Borgfeld Rd
3016	O P Schnabel Park/YMCA	9606	Bandera Rd
3017	Fair Oaks Ranch City Hall	7286	Dietz Elkhorn Rd.
3023	Rudder Middle School	6558	Horn Blvd.
3029	University Baptist Church	6465	Babcock Rd.
3030	Huebner Elementary	16311	Huebner Rd.

3032	Thornton Elementary	6450	Pembroke
3033	Alzarfar Shrine Temple	901	N Loop 1604 W
3034	Fair Oaks Ranch City Hall	7286	Dietz Elkhorn Rd.
3036	San Antonio Christian Church	6131	DeZavala
3037	Scobee Elementary	11223	Cedar Park
3039	M H Specht Elementary	25815	Overlook Pkwy
3042	Hardy Oak Elementary	22900	Hardy Oak Blvd
3043	Monroe S. May Elementary	15707	Chase Hill Blvd.
3044	Huebner Elementary	16311	Huebner Rd.
3045	Huebner Elementary	16311	Huebner Rd.
3051	Scenic Loop Playground	18249	Sherwood Trl.
3054	O P Schnabel Park/YMCA	9606	Bandera Rd
3055	Messiah Lutheran Church	9401	Dietz Elkhorn
3056	Clark High School	5150	De Zavala Rd.
3058	Ed Rawlinson Middle School	14100	Vance Jackson
3073	Clark High School	5150	De Zavala Rd.
3074	Woods of Shavano Community Club	13838	Parksite Woods St
3075	Shavano Park City Hall	900	Saddletree Ct.
3076	Fire Station #43	2055	W Bitters Rd
3078	St. Andrew Lutheran Church	16320	Huebner
3089	St Anthony the Great Coptic Orthodox	153	W Borgfeld Rd
3093	Fire Station #43	2055	W Bitters Rd
3094	Leon Springs Elementary	23881	IH 10 W
3095	Monroe S. May Elementary	15707	Chase Hill Blvd.
3096	Leon Springs Elementary	23881	IH 10 W
3097	Leon Springs Elementary	23881	IH 10 W
3098	Monroe S. May Elementary	15707	Chase Hill Blvd.
3099	Bob Beard Elementary	8725	Sonoma Parkway
3101	Bob Beard Elementary	8725	Sonoma Parkway
3102	Hidden Forest Elementary	802	Silver Spruce St.
3106	Helotes Elementary	13878	Riggs Rd.
3109	Murray E. Boone Elementary	6614	Spring Time Dr
3121	Canyon Springs Golf Course	24405	Wilderness Oak
3123	O P Schnabel Park/YMCA	9606	Bandera Rd
3124	Hollywood Park City Hall	2	Mecca Dr.
3127	Carl Wanke Elementary	10419	Old Prue Rd
3128	Scenic Loop Playground	18249	Sherwood Trl.
3129	Katherine Stinson Middle School	13200	Skyhawk Dr.
3130	Shavano Park City Hall	900	Saddletree Ct.

3134	Katherine Stinson Middle School	13200	Skyhawk Dr.
3142	Monroe S. May Elementary	15707	Chase Hill Blvd.
3143	San Antonio Christian Church	6131	DeZavala
3146	University Baptist Church	6465	Babcock Rd.
3147	Thornton Elementary	6450	Pembroke
3148	St Anthony the Great Coptic Orthodox	153	W Borgfeld Rd
3149	Ed Rawlinson Middle School	14100	Vance Jackson
3163	Stone Oak Elementary	21045	Crescent Oaks
3172	Murray E. Boone Elementary	6614	Spring Time Dr
3173	Stone Oak Elementary	21045	Crescent Oaks
3174	Messiah Lutheran Church	9401	Dietz Elkhorn
4003	Davis Scott YMCA	1231	Iowa St.
4019	Foster Elementary	6718	Pecan Valley
4020	Foster Elementary	6718	Pecan Valley
4023	Rogers Middle School	314	Galway Dr.
4024	Kate Schenck Elementary	101	Kate Schenck
4025	Highland Hills Elementary	734	Glamis
4026	Steele Elementary	722	Haggin
4027	Steele Elementary	722	Haggin
4028	James Bode Recreation Center	900	Rigsby
4029	Smith Elementary	823	S. Gevers
4030	Miller Academy	207	Lincolnshire Dr.
4031	Highlands High School	3118	Elgin
4032	Highland Hills Elementary	734	Glamis
4033	Pecan Valley Elementary	3966	E. Southcross
4034	Hirsch Elementary	4826	Sea Breeze
4062	Pecan Valley Elementary	3966	E. Southcross
4070	Sinclair Elementary	6126	Sinclair Rd.
4073	Harmony Elementary	10625	Green Lake Dr.
4074	Harmony Elementary	10625	Green Lake Dr.
4077	Sinclair Elementary	6126	Sinclair Rd.
4109	Japhet Elementary	314	Astor
4121	John Glenn Jr. Elementary	7284	FM - 1628
4124	Foster Elementary	6718	Pecan Valley
4133	Rogers Middle School	314	Galway Dr.
4177	James Bode Recreation Center	900	Rigsby

Subject to Change

Sujeto a cambio

**RUNOFF ELECTION  
ELECCION DECISIVA  
DECEMBER 12, 2006  
12 de diciembre de 2006**

**THE HOURS OF EARLY VOTING WILL BE: (LAS HORAS Y FECHAS DE VOTACION  
ADELANTADA SERAN:)**

Saturday, December 2, 2006.....	10:00 a.m. to 6:00 p.m.
Sabado 2 de diciembre de 2006.....	10:00 a.m. to 6:00 p.m.
Sunday, December 3, 2006.....	12:00 noon to 6:00 p.m.
Domingo 3 de diciembre de 2006.....	12:00 noon to 6:00 p.m.
Monday, December 4, 2006 thru Wednesday, December 6, 2006.....	8:00 a.m. to 6:00 p.m.
Lunes 4 de diciembre de 2006 hasta miercoles 6 de diciembre de 2006.....	8:00 a.m. to 6:00 p.m.
Thursday, December 7, 2006 thru Friday, December 8, 2006.....	8:00 a.m. to 8:00 p.m.
Jueves 7 de diciembre de 2006 hasta viernes 8 de diciembre de 2006 .....	8:00 a.m. to 8:00 p.m.

**December 2 , 2006 - December 12, 2006**

SUN	MON	TUES	WED	THURS	FRI	SAT
						2 *****
3 *****	4 *****	5 *****	6 *****	7 *****	8 *****	9
10	11	12 ELECTION DAY	13	14	15	16

Legend: \*\*\*\*\* Indicates dates open for early voting

**Main Early Voting Location: (Localidad Principal de Votacion Adelantada:)**

**BEXAR COUNTY JUSTICE CENTER.....300 Dolorosa  
(Basement, south end across from cafeteria)  
(Sotano, lado sur, frente a la cafeteria)**

**In addition to the main early polling place, early voting will be conducted at the following locations: (Ademas de la localidad principal, votacion adelantada se lleva a cabo en las siguientes localidades:)**

CPS ENERGY.....	509 SW Military Drive
FIRST BAPTIST CHURCH OF LEON SPRINGS .....	24133 Boerne Stage Road
MAURY MAVERICK, JR. LIBRARY .....	8700 Mystic Park
PECAN VALLEY ELEMENTARY.....	3966 E. Southcross
SHAVANO BAPTIST CHURCH .....	5047 De Zavala Road
SOUTH PARK MALL .....	2310 S.W. Military

**subject to change (sujeto a cambio)**

For more information contact the office of the Bexar County Elections Administrator, Jacquelyn F. Callanen, at (210) 335-VOTE (8683). (Para mas informacion comuniquesse con oficina del Condado de Bexar Administrador de Elecciones, Jacquelyn F. Callanen, al telefono (210) 335-VOTE (8683))

**ELECTION DEPARTMENT ORDER DESIGNATING  
A MAIN EARLY VOTING PLACE  
AND ESTABLISHING BRANCH POLLING PLACES FOR THE  
CONGRESSIONAL DISTRICT 23 SPECIAL RUNOFF ELECTION  
TO BE HELD ON DECEMBER 12, 2006**

**WHEREAS, a CONGRESSIONAL DISTRICT 23 SPECIAL RUNOFF ELECTION is called for DECEMBER 12, 2006, in Bexar County for the purpose of voting on federal candidate; and**

**WHEREAS, Election Code Section 85.002 mandates that Commissioners Court designate a main early voting place and Election Code § 85.062 allows Commissioners Court to also establish branch polling places for early voting other than the main early voting location in each state representative district containing territory covered by the election; and**

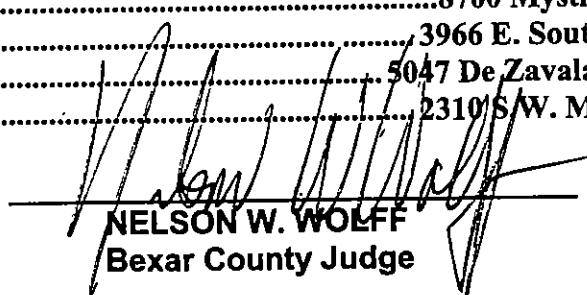
**WHEREAS, Commissioners Court has considered the matter and determined that the establishment of branch polling places will facilitate early voting;**

**NOW, THEREFORE, IT IS ORDERED that the basement of the Bexar County Justice Center at 300 Dolorosa is designated as the main early polling place for the DECEMBER 12, 2006 CONGRESSIONAL DISTRICT 23 SPECIAL RUNOFF ELECTION.**

**IT IS FURTHER ORDERED that the following locations are established as a branch early voting polling places for said election:**

CPS ENERGY .....	509 SW Military Drive
FIRST BAPTIST CHURCH OF LEON SPRINGS.....	24133 Boerne Stage Road
MAURY MAVERICK, JR. LIBRARY .....	8700 Mystic Park
PECAN VALLEY ELEMENTARY.....	3966 E. Southcross
SHAVANO BAPTIST CHURCH.....	5047 De Zavala Road
SOUTH PARK MALL .....	2310 S.W. Military

11-28-06  
Date

  
NELSON W. WOLFF  
Bexar County Judge

**ELECTION DEPARTMENT ORDER  
SETTING COMPENSATION FOR SERVICES RENDERED FOR  
DEPUTY EARLY VOTING CLERKS FOR EARLY VOTING  
IN THE CONGRESSIONAL DISTRICT 23 SPECIAL RUNOFF ELECTION  
TO BE HELD ON DECEMBER 12, 2006**

**WHEREAS, Election Code Section 83.052 authorizes Commissioners Court  
to fix the compensation for Deputy Early Voting Clerks in the DECEMBER 12,  
2006 CONGRESSIONAL DISTRICT 23 SPECIAL RUNOFF ELECTION;**

**NOW, THEREFORE, IT IS ORDERED by the Commissioners Court of Bexar  
County, Texas that the contracted rate of compensation for deputy early voting  
clerks for the DECEMBER 12, 2006 CONGRESSIONAL DISTRICT 23 SPECIAL  
RUNOFF ELECTION shall be \$8.25 per hour, except that the Elections  
Administrator shall designate a supervisory deputy early voting clerk at each  
early voting location who shall receive \$9.25 per hour. It is further ordered that  
the supervisory deputy early voting clerk who delivers the daily records during  
said early voting process shall be paid \$5.00 per day for that service.**

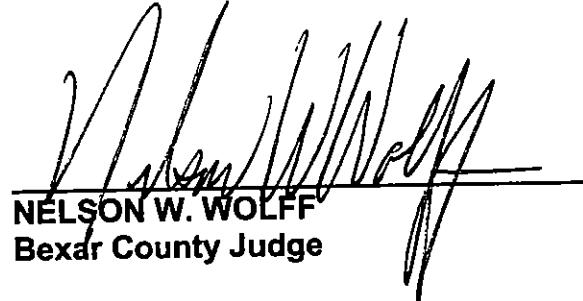
11-28-06  
Date

NELSON W. WOLFF  
Bexar County Judge

**ELECTION DEPARTMENT ORDER  
ADOPTING RESOLUTION DESIGNATING THE RATE OF PAY  
FOR TEMPORARY STAFF AT THE AUDITORS  
FOR THE CONGRESSIONAL DISTRICT 23 SPECIAL RUNOFF ELECTION  
TO BE HELD DECEMBER 12, 2006**

**IT IS ORDERED** by the Commissioners Court of Bexar County, Texas that the rate of compensation for up to one temporary, to expedite the payroll for approximately 365 election officials serving in the DECEMBER 12, 2006 CONGRESSIONAL DISTRICT 23 SPECIAL RUNOFF ELECTION, shall be \$12.00 an hour for the period December 18, 2006 thru December 19, 2006.

11-28-06  
**Date**

  
**NELSON W. WOLFF**  
Bexar County Judge

**ELECTION DEPARTMENT ORDER  
ADOPTING THE VOTING SYSTEM  
TO BE USED IN THE DECEMBER 12, 2006  
CONGRESSIONAL DISTRICT 23 SPECIAL RUNOFF ELECTION**

**WHEREAS, Election Code Section 123.001 requires the adoption of a voting system for the Congressional District 23 Special Runoff Election to be held on Tuesday, DECEMBER 12, 2006, in certain precincts throughout Bexar County, Texas;**

**BE IT ORDERED, ADJUDGED and DECREED by the Commissioners Court of Bexar County, Texas, that the voting system to be used in the DECEMBER 12, 2006 Congressional District 23 Special Runoff Election shall be as follows:**

**SECTION 1 - That County Commissioners Precinct One shall use an electronic touch screen ballot system (iVotronic).**

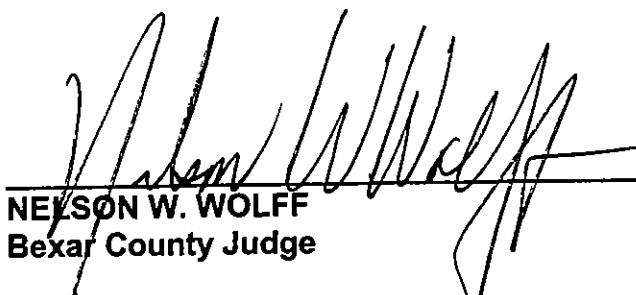
**SECTION 2 - That County Commissioners Precinct Two shall use an electronic touch screen ballot system (iVotronic).**

**SECTION 3 - That County Commissioners Precinct Three shall use an electronic touch screen ballot system (iVotronic).**

**SECTION 4 - That County Commissioners Precinct Four shall use an electronic touch screen ballot system (iVotronic).**

**SECTION 5 - That the AIS 650 Optical Scan tabulating system shall be used for early voting by mail.**

11-28-06  
Date

  
NELSON W. WOLFF  
Bexar County Judge

**ELECTION DEPARTMENT ORDER  
ADOPTING THE RESOLUTION DESIGNATING  
THE NUMBER OF CLERKS AUTHORIZED TO BE USED  
IN THE CONGRESSIONAL DISTRICT 23 SPECIAL RUNOFF ELECTION  
TO BE HELD ON DECEMBER 12, 2006**

**WHEREAS, Election Code Section 32.033 requires that the authority that appoints the election judges shall prescribe the maximum number of clerks that each presiding judge may appoint for the CONGRESSIONAL DISTRICT 23 SPECIAL RUNOFF ELECTION to be held Tuesday, DECEMBER 12, 2006;**

**BE IT ORDERED, ADJUDGED AND DECREED by the Commissioners Court of Bexar County, Texas, that the maximum number of clerks shall be appointed by the Presiding Judge in the following manner;**

Precincts with less than 1,000 registered voters	1 clerks
Precincts with less than 2,000 registered voters	2 clerks
Precincts with more than 3,000 registered voters	3 clerks

**Polling locations with more than three precincts combined may hire an additional clerk.**

Date

11-28-06

**NELSON W. WOLFF  
Bexar County Judge**

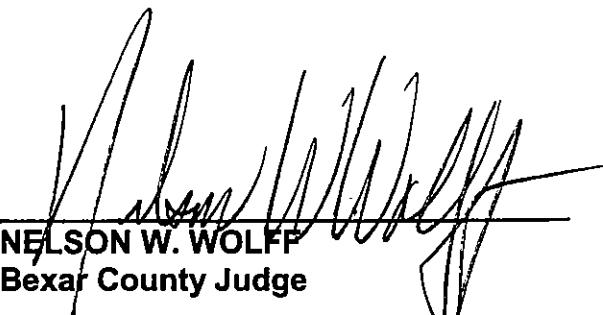
**ELECTION DEPARTMENT ORDER  
ADOPTING RESOLUTION DESIGNATING  
THE RATE OF PAY FOR JUDGES AND CLERKS  
FOR THE JOINT GENERAL, SPECIAL AND BOND ELECTION  
TO BE HELD DECEMBER 12, 2006**

**WHEREAS, Sections 32.091, 32.092 and 32.093 of the Texas Election Code, authorizes Commissioners Court to fix the compensation of the Election Day judges and clerks, contracted for the DECEMBER 12, 2006 CONGRESSIONAL DISTRICT 23 SPECIAL RUNOFF ELECTION;**

**NOW, THEREFORE, IT IS ORDERED** by the Commissioners Court of Bexar County, Texas that the rate of compensation for presiding judges shall be \$9.25 per hour, and the rate of compensation for alternate judges and clerks shall be \$8.25 per hour. It is further ordered that the judge who delivers the returns on election day shall be paid \$25.00 upon delivery for that service.

Date

11-28-06

  
**NELSON W. WOLFF**  
**Bexar County Judge**

# EXHIBIT 3



## Bexar extends early voting for District 23; state objects

Web Posted: 11/28/2006 09:41 PM CST

**Greg Jefferson**  
**and Tracy Idell Hamilton**  
 Express-News Staff Writers

Bexar County commissioners on Tuesday added two days of early voting to the runoff in Congressional District 23, agreeing to calls for the move from Democrat Ciro Rodriguez's campaign and a civil rights group.

But Scott Haywood, spokesman for the Texas secretary of state's office, said the commissioners don't have that kind of power — casting doubt on whether people can vote beginning Saturday or will have to wait until Monday.

"They have no authority to move the early voting time frame," he said.

Haywood didn't know whether the secretary of state's office had talked with Bexar County officials about Tuesday's vote, and he couldn't say what the next step would be.

After the unanimous vote, Commissioner Lyle Larson asked if any preapproval from the secretary of state was required. Commissioner Paul Elizondo responded that while cutting early voting short would require such a move, extending early voting would not.

Bexar County Elections Administrator Jacque Callanen concurred with Elizondo's explanation and later expressed her support for the extension.

The commissioners' decision Tuesday would push the start of early voting in the contest between Rodriguez and Rep. Henry Bonilla, R-San Antonio, to Saturday.

Polling would run from 10 a.m. to 6 p.m. on Saturday, and noon to 6 p.m. on Sunday.

A week ago, Gov. Rick Perry set election day for Dec. 12, with early voting Dec. 4 through Dec. 8. But Rodriguez and the League of United Latin American Citizens objected to the announcement's timing, which came right before Thanksgiving. They argued that gave voters too little notice of the coming runoff.

Rodriguez and LULAC also noted that election day falls on Dia de la Virgen de Guadalupe, a major religious holiday for Mexican Catholics, potentially driving down the turnout of Hispanic voters.

Rodriguez on Tuesday welcomed the extension, saying: "For working families, the weekend is crucial. ... Hopefully, there shouldn't be any excuse for not coming out to vote."

Bonilla spokesman Phil Ricks, who learned about the vote from a reporter, noted: "We would be very

much in favor of that."

But at the secretary of state's office, Haywood said state election law rules out early voting on Saturday and Sunday. A provision for special runoff elections says early voting must start 10 days before election day — unless it lands on the weekend or a state holiday. In either case, early voting starts on the next business day.

The rule governs special runoffs for state Senate and House posts, but Haywood said it also applies to congressional runoffs.

Luis Vera Jr., LULAC's national general counsel, disagreed. He said that part of the election code shouldn't apply to the race in the 23rd District.

Instead, he contends a provision setting early voting 17 days before election day — the same one used in the special election to replace Republican Tom DeLay in the 22nd Congressional District — should be the one state officials rely on.

"They used that (17-day) provision because they had a (Republican) write-in candidate, because they needed more time," said Vera, a Rodriguez supporter.

"They change the rules to fit their needs."

LULAC and other groups, Vera said, are still deciding whether to go to federal court to seek a temporary restraining order to stop the Dec. 12 runoff.

Meanwhile, Callanen, the elections administrator, told commissioners that Gina Castañeda of Rodriguez's campaign brought the elections office a petition with 50-plus signatures to begin voting early.

*gjefferson@express-news.net*

Online at: [http://www.mysanantonio.com/news/politics/stories/MYSA112906.03B.Early\\_Voting.2c59da1.html](http://www.mysanantonio.com/news/politics/stories/MYSA112906.03B.Early_Voting.2c59da1.html)

# EXHIBIT 4



## UPDATED: District 23 runoff vote won't start Saturday

Web Posted: 11/29/2006 11:46 PM CST

**Greg Jefferson**  
Express-News Staff Writer

The county's elections chief put a stop Wednesday to plans to start early voting on Saturday, following District Attorney Susan Reed's advice and averting a standoff with state officials.

Meanwhile, the national general counsel of the League of United Latin American Citizens prepared to go to federal court Thursday to stop the Dec. 12 runoff election in Congressional District 23. The attorney, Luis Vera Jr., said the civil rights group would seek a temporary restraining order.

LULAC is challenging what Vera has described as the late notice voters got as far as dates for election day and early voting. Also, the runoff lands on a major holiday for Mexican Catholics, Día de la Virgen de Guadalupe, which could cut into Hispanic turnout.

Democrat Ciro Rodriguez, who's challenging 14-year incumbent Rep. Henry Bonilla in District 23, has made the same complaints. But the former congressman was wary Wednesday of legal action to push back the runoff date.

"I need more time to work the district," Rodriguez said, "but even if they move it back a week, it'll just create confusion."

There's already been some of that.

Bexar County commissioners unanimously voted Tuesday to add two days to the early voting period, pushing its start from next Monday to this Saturday. But soon after their vote, Scott Haywood, a spokesman for Texas secretary of state's office, said county officials don't have that authority.

Reed agreed with the secretary of state's office and advised Bexar County Elections Administrator Jacque Callanen to stick to the election schedule announced last week by Gov. Rick Perry.

Perry set election day on Dec. 12, with early voting running Dec. 4 through Dec. 8.

"We were hoping to give voters more time to go to the polls, but of course we will follow the law to the letter," Callanen said.

Ann McGeehan, elections director for Texas Secretary of State Roger Williams, notified Callanen on Wednesday that early voting next weekend isn't an option because it falls outside the date established by Perry.

"The county doesn't have the authority to expand early voting beyond the date it was set," Haywood said.

Phil Ricks, spokesman for Bonilla, said the San Antonio Republican's campaign favored giving voters more days to cast early ballots.

"But I suppose we have to follow the law," he added.

Rodriguez's campaign and LULAC had petitioned for the extension to give voters more time to go to the polls. Wednesday afternoon, the San Antonio Democrat lashed out at state officials, saying: "By preventing Bexar County from conducting weekend early voting, the secretary of state has made it clear that the needs of working families are not a priority."

Vera, the LULAC attorney, said the secretary of state's office should have applied the same section of the Texas Election Code that governed the race to replace Republican Tom DeLay in the 22nd Congressional District. That would have required early voting to start 17 days before the runoff.

But Scott Haywood said Vera was comparing apples and oranges.

"You can't draw a parallel between the two elections," he said. "The law is different for runoff elections than it is for general elections."

Vera is a longtime supporter of Rodriguez and currently serves as his campaign treasurer. But he said Wednesday he was bowing out of the campaign to quell questions about his motivation in challenging the runoff date.

Vera was one of the attorneys representing plaintiffs challenging Texas Republicans' 2003 redistricting plan. Last June, the U.S. Supreme Court upheld most of their work, but the justices ruled mapmakers had violated the Voting Rights Act by slicing 100,000 Hispanic voters from District 23 to shore up Bonilla's re-election prospects.

That decision ultimately forced a Nov. 7 special election, in which Bonilla won 49 percent and Rodriguez got 20 percent. They're in a runoff because Bonilla failed to muster a majority.

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*gjefferson@express-news.net*

Online at: <http://www.mysanantonio.com/news/politics/stories/MYSA112906.District23.en.38ea480f.html>

# EXHIBIT 5

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November 20, 1996, Wednesday, 3 STAR Edition

**SECTION:** a; Pg. 23

**LENGTH:** 555 words

**HEADLINE:** Early voting begins in U.S. House runoffs

**BYLINE:** Staff

**BODY:**

In-person early voting begins today for runoffs in the Houston-area U.S. House districts represented by Steve Stockman, Ken Bentsen and Jack Fields.

Early voting ends Dec. 6. Election day is Dec. 10.

All registered voters living in the congressional districts are eligible to vote.

In the 9th District, which runs from east Harris County and Galveston to Beaumont, Republican Stockman faces Democrat Nick Lampson.

In the 25th District, which covers south and southeast Harris County, Democrat Bentsen faces Republican Dolly Madison McKenna.

In the 8th District, which runs from north Harris County to College Station and Sealy, Republicans Kevin Brady and Gene Fontenot are vying for the seat being vacated by Fields.

Harris County voters can cast an early ballot at any of nine locations from 8 a.m. to 4:30 p.m. through Saturday; 1 to 6 p.m. Nov. 24; 8 a.m. to 4:30 p.m. Nov. 25-27 and Dec. 2-4; and 7 a.m. to 7 p.m. Dec. 5-6. The Harris County locations are:

1319 Texas Ave. at Austin Street, downtown Houston.

Kmart, 8230 Kirby, southwest Houston.

Sunnyside Multi-Service Center, 4605 Wilmington, south Houston.

Tracy Gee Community Center, 3599 Westcenter Drive, west Houston.

Harris County Courthouse Annex 25, 7330 Spencer Highway, Pasadena.

E.F. Green Instructional Support Center, 607 W. Baker Road, Baytown.

Harris County Courthouse Annex 10, 16603 Buccaneer, Clear

Early voting begins in U.S. House runoffs The Houston Chronicle November

Lake.

Cypress Creek Branch Library, 6815 Cypresswood, Spring.

Octavia Fields Branch Library Annex, 111 W. Higgins, Humble.

In Galveston County, the early voting locations will be open from 8 a.m. to 5 p.m. weekdays until Thanksgiving. The polls will be open from 7 a.m. to 7 p.m. Saturday. After Thanksgiving, the polls will reopen from 8 a.m. to 5 p.m. Dec. 2-4. On Dec. 5-6, early voters can cast ballots from 7 a.m. to 7 p.m. The Galveston County locations are:

County Clerk's office, Galveston County Courthouse, 722 Moody, Galveston.

Island Community Center, 4700 Broadway, Galveston.

Park Avenue Community Center, 6901 Park Ave., Texas City.

Nessler Center, 2010 Fifth Ave. North, Texas City.

\*Galveston County Environmental Health Center, 1207 Oak, La Marque.

Hitchcock Community Center, 6905 Backstrom, Hitchcock.

West County Building, 11730 Texas 6, Santa Fe.

Dunbar Middle School, 916 23rd, Dickinson.

Friendswood City Hall, 910 S. Friendswood Drive, Friendswood.

League City Civic Center, 400 W. Walker, League City.

Lloyd Ferguson Elementary School, 1910 S. Compass Rose Blvd., League City.

Community Center House, 503 11th St., Bacliff.

Chamber of Commerce Bldg., 1760 Highway 87, Crystal Beach.

In Montgomery County, the early voting locations will be open from 8 a.m. to 5 p.m. weekdays until Thanksgiving. The polls will reopen from 8 a.m. to 5 p.m. Dec. 2-4. On Dec. 5-6, early voters can cast ballots from 7 a.m. to 7 p.m. The Montgomery locations are:

South Montgomery County Community Building, Lake Robbins Drive, The Woodlands.

Montgomery County Elections Central office, 225 Collin St., Conroe.

Montgomery County West Branch Library, Texas 105, Montgomery.

Magnolia Courthouse Annex, Magnolia.

New Caney Courthouse Annex, New Caney.

Voters in other counties should contact their county clerk for information on early voting locations and hours.

Early voting begins in U.S. House runoffs The Houston Chronicle November

**LOAD-DATE:** November 21, 1996

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November 20, 1996, Wednesday, 3 STAR Edition

**SECTION:** a; Pg. 21

**LENGTH:** 786 words

**HEADLINE:** Clark challenges 25th District vote

**BYLINE:** ALAN BERNSTEIN, Houston Chronicle Political Writer; Staff

**BODY:**

Former candidate Beverley Clark filed suit Tuesday to undo the Nov. 5 election for U.S. Rep. Ken Bentsen Jr.'s seat, saying that a confusing ballot violated Texas law.

The vote produced a Dec. 10 runoff in the Houston area's 25th District between Democrat Bentsen and Republican Dolly Madison McKenna.

Clark, a Democrat, finished in third place, 200 votes behind McKenna.

Clark claimed in the lawsuit that she would have won the runoff berth against Bentsen ""without the illegally defective ballots."

For instance, Clark said, the ballot should have contained instructions telling voters that a ""straight ticket" punch did not apply to the U.S. House race and that they could choose only one of the 11 candidates on the list.

Those instructions were supposedly posted in each voter booth.

The lawsuit said state law requires that the rules be printed on the ballot.

Clark's lawsuit seeks a new election for all 11 candidates.

Harris County Clerk Beverly Kaufman said early voting will start today, as scheduled, for the Bentsen-McKenna race and runoffs in two other congressional districts. The early voting process could be derailed only by orders from a judge or the governor, Kaufman added.

Clark's move comes in the wake of a Houston Chronicle report showing that 12,652 votes were invalidated because voters chose more than one candidate for Bentsen's seat, and another 23,134 residents of the district voted without marking a ballot for the congressional seat.

Based on a voter survey by University of Houston political scientist Richard Murray and other data, Clark asserted that most of the double votes went to her and Bentsen and that most

Clark challenges 25th District vote The Houston Chronicle November 20, 1

of the straight ticket votes were Democratic.

The lawsuit, assigned to state District Judge Pat Mizell, names Bentsen and McKenna as defendants.

Bentsen agrees that the election was confusing but will defend his right to be in the runoff, a spokeswoman said. McKenna declined comment on the suit but said she is forging ahead with her campaign.

Confusion about state and federal election laws surrounds Clark's suit.

Kenneth R. Wynne, her volunteer lawyer, said he will file a similar complaint today with the three federal judges in Houston who changed the election boundary lines and opened the race to an unlimited number of candidates as part of the Texas racial gerrymandering case.

The addition of multiple candidates from each party - the 25th District race included two Democrats and eight Republicans - made the unique runoffs necessary in races where no candidate got a majority of the Nov. 5 votes.

The Texas election code says its rules do not apply to U.S. House general elections. In fact the chief of the Texas secretary of state's election division, Ann McGeehan, said Tuesday that the state court has no jurisdiction over Clark's complaint.

But the ban may not apply to Clark's situation because no winner has been elected yet, Wynne said.

Election challenges for House seats usually are decided by the membership of the U.S. House. But since no candidate is asking to be seated as the victor, Clark's legal route remains unclear, Wynne said.

Facing questions about Texas law, Wynne filed the suit Tuesday afternoon, then filed a withdrawal notice and finally canceled the withdrawal.

One of Clark's arguments involved color-coding of the ballot.

Election officials put the U.S. House contest ahead of the presidential race on the ballot in a separate teal-colored section to signal voters that it was a separate election unaffected by straight-ticket voting.

Clark's lawsuit said voters accustomed to white ballot pages may have skipped the blue-green section, thinking that it was part of an instruction section.

The lawsuit cites a state law requiring that the ballot be printed with black ink on white paper.

Kaufman said the ballot books have used color sections for years.

The special U.S. House elections stemmed from a 1994 lawsuit by six Republican voters in Houston and Dallas. They claimed that the Democrat-controlled Legislature violated the

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Constitution by drawing districts that created black or Hispanic voting majorities in two districts in Houston and one in Dallas.

The three federal judges, all appointed by Republican presidents, agreed with the plaintiffs and redrew the boundaries in August, changing 10 others in the process.

The new rules allowed McKenna and Clark to enter the race along with seven other new candidates. Both vied for the seat unsuccessfully in their respective parties' 1994 primaries.

McKenna was the Republican nominee in the 1992 race. Clark served on the Houston City Council in 1990 and 1991.

**GRAPHIC:** Mug: Beverley Clark (p. 25)

**LOAD-DATE:** November 21, 1996

# EXHIBIT 6

# PROCLAMATION

BY THE

## Governor of the State of Texas

41-3062

TO ALL TO WHOM THESE PRESENTS SHALL COME:

WHEREAS, a vacancy now exists in the membership of the Texas House of Representatives in House District No. 29, which consists of Matagorda County and part of Brazoria County; and

WHEREAS, Tex. Elec. Code Ann. § 203.002 requires that a special election be ordered upon such vacancy; and

WHEREAS, Tex. Elec. Code Ann. § 203.013 requires that the special election be expedited and shall be held on a Tuesday or Saturday occurring not earlier than the 21st or later than the 45th day after the date the election is ordered since the vacancy has occurred during the 60 days immediately prior to the convening of the next regular legislative session, and

WHEREAS, Tex. Elec. Code Ann. § 3.003 requires the election to be ordered by proclamation of the Governor;

NOW, THEREFORE, I, RICK PERRY, GOVERNOR OF TEXAS, under the authority vested in me by the Constitution and Statutes of the State of Texas, do hereby order a special election to be held in House District No. 29 on Tuesday, December 19, 2006, for the purpose of electing a State Representative for House District No. 29 to serve the full term that begins on or about January 9, 2006, and any remaining time on the unexpired term pursuant to Section 201.053 of the Texas Election Code.

Candidates who wish to have their names placed on the special election ballot must file their applications with the Secretary of State no later than 5:00 p.m. on Monday, November 27, 2006.

Early voting by personal appearance shall begin on December 11, 2006, in accordance with Tex. Elec. Code Ann. § 85.001(a) and (d).

A copy of this order will be mailed immediately to the County Judges of Brazoria and Matagorda Counties, and all appropriate writs will be issued and all proper proceedings will be followed, to the end that said election may be held to fill the vacancy in House District No. 29 and its result proclaimed in accordance with law.



IN TESTIMONY WHEREOF, I  
have hereunto signed my name  
and have officially caused the  
Seal of State to be affixed at the  
Office of the Governor, in the  
City of Austin, Texas, this the  
22nd day of November 2006.

*Rick Perry*

RICK PERRY

Attested by:

*Roger Williams*  
ROGER WILLIAMS

FILED IN THE OFFICE OF THE  
SECRETARY OF STATE  
11/15 O'CLOCK

NOV 22 2006

# EXHIBIT 7

5. St. Joseph's Church, located at 535 New Laredo Hwy. in San Antonio, will have Mañanitas at 6:00 a.m. followed by a Mass at 6:30 a.m. according to Maria at the church office. They will also have a dramatization and procession beginning at 7:00 p.m. that evening.

6. Our Lady of Angels, located at 1214 Stonewall in San Antonio, will have Matachines at 6:30 a.m., the Mananitas at 7:00 a.m., followed by Liturgy at 7:30 a.m.

7. St. Leonard's Church, located at 8510 S. Zarzamora in San Antonio, will have the Mañanitas at 6:30 a.m. followed by refreshments and a mass at 8:30 a.m. In the evening, there will be a Mass at 7:00 p.m. complete with a re-enactment of the appearance of the Virgin to Juan Diego.

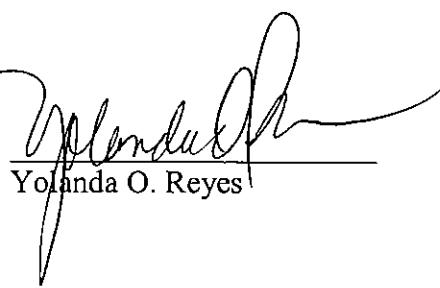
8. Divine Providence, located at 5667 Old Pearsall Road in San Antonio, will have their Mañanitas at 5:00 a.m. complete with Matachines and a Rosary at the Church. Mass, however, will be at 6:30 p.m. followed by a dramatization.

9. In Hondo, Texas, St. John's Catholic Church at 2102 Avenue J, will have a Rosary and Procession followed by a Mass at 5:30 p.m.

10. St. Brigid's, located 6907 Kitchener in San Antonio will only have a Mass at 7:00 p.m. to be followed by a Fiesta at the Parish Hall.

11. I also talked to Rosario at Our Lady of Guadalupe at 1321 El Paso in San Antonio, Texas. She gave me information about their yearly Pilgrimage. This year they will walk from Our Lady of Guadalupe in Helotes, Texas to their church. It will culminate with a Mass and a Reception at 6:00 p.m. She told me that they have had from 200 to 300 people participate and hope for more in this their 12th year. Milagros/petitions/intentions are offered at the mass at 6:00 p.m.

Executed this 30<sup>th</sup> day of November, 2006.



Yolanda O. Reyes

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

LEAGUE OF UNITED LATIN AMERICAN )  
CITIZENS, ET AL., )  
vs. ) CIVIL ACTION NO. 2:03-CV-354  
RICK PERRY, GOVERNOR OF TEXAS, )  
ET AL. ) CONSOLIDATED

**DECLARATION OF YOLANDA O. REYES**

I, YOLANDA O. REYES, declare under penalty of perjury and state as follows:

1. My name is Yolanda O. Reyes. I work as a paralegal at the Mexican American Legal Defense and Educational Fund (MALDEF) in San Antonio, Texas. I am over the age of 18 and competent to make this Declaration.

2. On November 30, 2006, I contacted a number of Catholic churches within the area of Congressional District 23 to gather information regarding their plans to celebrate the Feast of the Virgin of Guadalupe on December 12, 2006. Although most of the churches I contacted are located on the South Side of San Antonio, I also contacted a church in Hondo, Texas which is in District 23. Below is the information given to me by those churches.

3. Holy Name Catholic Church, located at 3814 Nash in San Antonio, will have Mañanitas at 6:00 a.m., then a mass at 7:00 p.m. followed by a short reception in the activity center.

4. St. Margaret Mary's Church, located at 1314 Fair Ave in San Antonio, will have the Mañanitas and a procession beginning at 5:00 a.m. with a Mass at 6:00 a.m. followed by a breakfast at 7:00 a.m.